

### **REMARKS**

Claims 1-24 are presently pending in this application. Claims 1-11 have been amended to more particularly define the invention. Claims 12-24 have been added to assure Applicants the degree of protection to which their invention entitles them.

It is noted that the claim amendments are made only to assure grammatical and idiomatic English and improved form under United States practice, and are not made to distinguish the invention over the prior art or narrow the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicants gratefully acknowledge that claims 6 and 8-11 were indicated to be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph. However, Applicants respectfully submit that all of the claims are allowable.

Claims 1-6 and 8-11 were rejected under 35 U.S.C. §112, second paragraph. Claims 1, 3-5 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art, in view of Iwata, JP 11175426A. Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art, in view of Iwata and in further view of Edwards, et al., WO 97/49044. These rejections are respectfully traversed.

### **The Claimed Invention**

The claimed invention is directed to a content supply apparatus for obtaining content demanded by a portable terminal and sending the obtained content to the portable terminal. In an exemplary embodiment, the content supply apparatus includes a content holding section

for holding content obtained from a content server, and a content supply section for obtaining the demanded content from the content holding section if the demanded content is in the content holding section, and obtaining the demanded content from the content server if the demanded content is not in the content holding section.

In one preferred embodiment of the invention, the content supply section transmits the obtained content to the portable terminal in divided content units of a maximum information amount that can be displayed by the portable terminal.

Another preferred embodiment of the invention further includes a prefetcher section for prefetching other contents, referred from the transmitted content units, from the content server, and storing the prefetched content in the content holding section.

### **The Prior Art**

Applicant's Admitted Prior Art includes a content supply apparatus for obtaining content demanded by a portable terminal and sending the obtained content to the portable terminal. This prior art content supply apparatus includes a content holding section for holding content obtained from a content server, and a prefetcher for prefetching and storing other content.

Iwata discloses a service repeater system in which content from a server is divided according to the data receiving capacity of a portable terminal.

Edwards discloses an access system for accessing a location in a network, the system including means for assigning an identifier to any link located in a file.

**Argument**

None of the references shows or suggests an apparatus including a content holding section for holding content obtained from a content server, and a content supply section for obtaining the demanded content from the content holding section if the demanded content is in the content holding section, and obtaining the demanded content from the content server if the demanded content is not in the content holding section. This feature is included in independent claims 1 and 7, and thus in dependent claims 2-6 and 8-11. Further, the feature is included in new independent claims 12 and 19, as well as their dependent claims 13-18 and 20.

The Office Action contends that Iwata discloses a divided content supply means for obtaining content demanded by a portable terminal from content hold means if the content exists in the content hold means and from the content server if the content does not exist in the content hold means. Applicants respectfully disagree with this contention. Iwata discloses that content from a server is divided according to the data receiving capacity of a portable information terminal. If the division occurs in the middle of an instruction definition range, the data dividing part restores the instruction. There is no showing or suggestion of obtaining demanded content from content hold means; only from the server. Thus, Iwata does not support the rejection.

Further, because Applicants' Admitted Prior Art and Iwata are concerned about content from two different sources, and neither Applicants' Admitted Prior Art nor Iwata suggests the other source, a person of ordinary skill in the art would not combine Applicants' Admitted Prior Art and Iwata.

Edwards does not make up the deficiencies of the combination of Applicants' Admitted Prior Art and Iwata.

Thus, the references, whether considered separately or in combination, do not anticipate the claims or render the claims obvious. Accordingly, the claims are allowable.

### **Formal Matters**

Claims 1-6 and 8-11 were rejected under 35 U.S.C. §112, second paragraph due to particular wording and a lack of an antecedent in claim 1. The amendment of claim 1 overcomes this rejection.

The Office Action objects to Figures 2, 5, 8 and 9 with the contention that “details of the circled branched process 3” (Figures 2 and 5), “details of the circled branched process 12” (Figures 8 and 9), and “details of the circled branched process 33” (Figure 12) are not shown. The circled numerals 3, 12, and 33 are not processes. Just like the circled numerals 1, 2, and 4 (Figures 2-5), 11 and 13 (Figures 8 and 9), and 31 and 32 (Figures 12, and 13), the circles with the numerals 3, 12, and 33 indicate interconnections or continuations of the flow in the respective flow charts. Such usage is very conventional in order to avoid congestion of the drawing figures. Should the Examiner persist in this objection, he is requested to specifically set forth both details of his objection and the basis for it.

Minor misspellings have been corrected in the drawings.

The Office Action objected to wording on page 5 of the specification. This has been corrected by the above amendment to the specification.

### **Conclusion**

In view of the foregoing, Applicant submits that claims 1-24, all the claims presently

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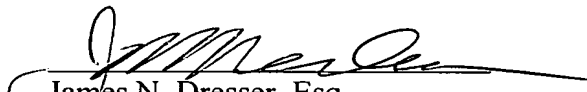
pending in the application, are patentably distinct over the prior art of record and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Attorney's Deposit Account No. 50-0481 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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